

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BOBBY T. SHEPPARD,

Petitioner,

-vs-

NORM ROBINSON, Warden,
Chillicothe Correctional Institution,

Respondent.

:

Case No. 1:00-cv-493

:

District Judge Gregory L. Frost
Magistrate Judge Michael R. Merz

ORDER TO SUPPLEMENT THE RECORD

This case is before the Court on Petitioner's Motion for Relief from Judgment Under Rule 60 to Allow Reconsideration of One Portion of Ground for Relief Nine in Light of *Martinez v. Ryan*, 132 S. Ct. 1309 (2012), and Motion for Indicative ruling from the District Court in Accordance with Rule 62.1 (Doc. No. 150). The Magistrate Judge has begun analysis of the Motion, but notes that the record transmitted to the Court of Appeals has not yet been returned to this Court. The Court is making every effort to expedite that return, but cannot decide the Motion without it.

The Motion asserts, as is necessary under *Martinez*, supra, that various attorneys representing Sheppard at various points in the process failed in their representation to the point of ineffectiveness. As written, the Motion is difficult to parse because it is abstract in its identification of counsel. It is accordingly ORDERED that Petitioner's counsel **FORTHWITH**

supplement the Motion by filing a list of all the attorneys who have represented Mr. Sheppard in this case with the dates of their representation.

August 4, 2012.

s/ *Michael R. Metz*
United States Magistrate Judge